

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

JANE DOE 1-4,)
)
Plaintiffs,)) No.: 1:23-cv-1302-JRS-MKK
v.)
)
BUTLER UNIVERSITY,)
MICHAEL HOWELL, and)
RALPH REIFF,)
)
Defendants.)

NOTICE OF INDIANA SUPREME COURT OPINION

Defendants Butler University and Ralph Reiff, by counsel, in reference to the objections and arguments stated in the motions and supporting briefs by Butler University and Ralph Reiff at Docket Entries 37, 38, 113, and 114, give notice of the Indiana Supreme Court's recent opinion in *Gierek v. Anonymous 1*, No. 23S-CT-277, 2025 Ind. LEXIS 7 (Jan. 9, 2025), stating:

"[W]e find the conclusion 'inescapable that our General Assembly intended that **all actions the underlying basis for which is alleged medical malpractice** are subject to the act.'" *Id.* at *22 (emphasis original) (quoting *Sue Yee Lee v. Lafayette Home Hosp., Inc.*, 410 N.E.2d 1319, 1324 (Ind. Ct. App. 1980)).

Dated: January 13, 2025

Respectfully submitted,

/s/ William P. Kealey

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